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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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United States of America,

Case No. 2:04-cr-00186-JCM-BNW

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Plaintiff,

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v.

Order

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Jeremy Scott Becker,

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Defendant.

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Before the Court are several motions. The Court addresses each of them in turn.

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I.   **Mr. Becker's Motion to Correct an Illegal Sentence (ECF No. 118) and the Government's Motion to Strike (ECF No. 119)**

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First, Defendant Jeremy Becker filed a Motion to Correct an Illegal Sentence. ECF No.

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118. The Government responded with its own motion, requesting that Mr. Becker's motion be

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stricken, as it was filed by Mr. Becker even though he is represented by counsel. ECF No. 119.

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In January 2022, Defendant Jeremy Scott Becker, represented by counsel Michael

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Mcavoyamaya, filed a motion to vacate or correct sentence under 28 U.S.C. § 2255. ECF No.

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109. That motion is fully briefed and awaiting decision by the Court in due course.

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On December 5, 2022, Mr. Becker filed a *pro se* pleading styled as a "motion to correct

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illegal sentence and clarification by this Honorable Judge." ECF No. 118. In it, Mr. Becker makes

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several of the same factual assertions that are made in his counsel's § 2255 motion, and he seeks

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much of the same relief.

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Local Rule IA 11-6(a) of the United States District Court for the District of Nevada

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provides that "[u]nless the court orders otherwise, a party who has appeared by attorney cannot

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while so represented appear or act in the case. This means that once an attorney makes an

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appearance on behalf of a party, that party may not personally file a document with the court; all

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filings must thereafter be made by the attorney."

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1   Because Mr. Becker is represented by counsel, his *pro se* filing will be stricken, as it

2   violates the Local Rules. His counsel is free to file any motions he deems fit.

3   As a result, the Government's motion to strike at ECF No. 119 will be **GRANTED** and

4   the Defendant's motion at ECF No. 118 will be **STRICKEN**.

5   **II.   Mr. Becker's Motion for Docket Sheet (ECF No. 120)**

6   Mr. Becker next filed a motion requesting the docket sheet. This was also filed *pro se*

7   even though he is represented by counsel. No response has been filed. For the reasons explained

8   above, this request will be denied. In addition, Mr. Becker's counsel (1) has access to the docket

9   sheet and (2) can answer any questions Mr. Becker may have regarding the docket.

10   As a result, Mr. Becker's Motion at ECF No. 120 will be **DENIED**.

11   **III.   Mr. Becker's Motion for Judicial Recommendation (ECF No. 122) and
            Government's Motion to Dismiss (ECF No. 125)**

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13   Mr. Becker, again moving *pro se*, asked this Court for a "nonbinding judicial

14   recommendation for the maximum amount of RRC [residential release center] time." ECF No.

15   122. The Government's response is in the form of a Motion to Dismiss Mr. Becker's request for

16   lack of personal jurisdiction. ECF No. 125.

17   For the reasons explained above, the Court need not decide the substantive aspects of

18   either motion. Instead, it will strike Mr. Becker's motion and direct him to consult with counsel

19   for any motion he wishes to file. The Court will further deny the Government's motion to dismiss

20   as moot.

21   As a result, Mr. Becker's Motion for Judicial Recommendation at ECF No. 122 will be

22   **STRICKEN** and the Defendant's Motion to Dismiss at ECF No. 125 will be **DENIED as**

23   **MOOT**.

24   **IV.   Conclusion**

25   **IT IS THEREFORE ORDERED** that the Government's motion to strike at ECF No.

26   119 is **GRANTED** and the Defendant's motion at ECF No. 118 is **STRICKEN**.

27   **IT IS FURTHER ORDERED** that Mr. Becker's Motion at ECF No. 120 is **DENIED**.

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1   **IT IS FURTHER ORDERED** that Mr. Becker's Motion for Judicial Recommendation at

2   ECF No. 122 is **STRICKEN.**

3   **IT IS FURTHER ORDERED** that the Government's Motion to Dismiss at ECF No. 125

4   is **DENIED as MOOT**.

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6   DATED: January 24, 2023

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8   BRENDA WEKSLER
    UNITED STATES MAGISTRATE JUDGE

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